



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 13, 2021

By ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Blount v. United States, et al.*, No. 21 Civ. 6132 (RA)

Dear Judge Abrams:

This Office represents the United States and the Institute for Family Health, Inc. (together, the “Government”) in the above-referenced action brought pursuant to the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2401(b), 2671-2680. (the “FTCA”). I write respectfully pursuant to Rule 1.D of the Court’s Individual Rules and Practices to request (1) a two-week extension of the Government’s time to respond to the complaint in this matter, from October 18, 2021, to November 1, 2021; and (2) an adjournment of the initial pretrial conference scheduled for October 22, 2021, to a date the week of November 8. Both parties are available any date that week. If the Court grants the request, the parties would submit the required joint letter and proposed case management order one week in advance of the conference.¹

This Office is in the midst of evaluating the allegations in Plaintiff’s complaint and finding a time to confer with Plaintiff concerning the joint submission that is required to be submitted one week in advance of the initial pretrial conference. Due to the press of business in other matters, including completing a trial on October 7, 2021, the Government needs the additional time to prepare its response to the complaint and confer with Plaintiff concerning the joint submission. The Government also intends to use the requested additional time to attempt to reach a stipulation concerning the dismissal of the Institute of Family Health, Inc., a federally deemed health center. The Government contends that the only proper defendant in this FCTA action is the United States. 28 U.S.C. § 2679(a); *C.P. Chem. Co. v. United States*, 810 F.2d 34, 37 n.1 (2d Cir. 1987).

The requested extension will not affect any other deadlines in this matter. This is the Government’s first request for an extension of its time to answer and for an adjournment of the initial pretrial conference. Plaintiff, through her counsel, consents to these requests.

¹ Pursuant to the Court’s July 30, 2021 Order (Dkt. No. 8), the required joint letter and proposed case management order is currently due October 15, 2021, one week in advance of the October 22 conference.

I thank the Court for its consideration.

Respectfully submitted,

DAMIAN WILLIAMS
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cc: Counsel of Record

Application granted.

Counsel for all parties appear for an initial status conference on November 12, 2021 at 9:45 a.m. The Court will hold this conference by telephone. The parties shall use the following dial-in information to call into the conference: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public.

SO ORDERED.



Hon. Ronnie Abrams
10/14/21